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COUNTY OF LOS ANGELES

7
8 **UNITED STATES DISTRICT COURT**
9 **CENTRAL DISTRICT OF CALIFORNIA**
10

11 **SHELDON LOCKETT**

12 *Plaintiff*

13 vs.

14 **COUNTY OF LOS ANGELES, a**
15 **public entity; LOS ANGELES**
16 **COUNTY SHERIFF'S**
17 **DEPARTMENT; a law enforcement**
18 **agency; former SHERIFF JIM**
19 **MCDONNELL; MIZRAIN ORREGO,**
a Deputy Los Angeles County Sheriff;
20 **SAMUEL ALDAMA, a Deputy Los**
Angeles County Sheriff; and DOES 1
through 100, inclusive,

21 *Defendants.*

CASE NO.: 2:18-cv-5838-PJW

DECLARATION OF JACK F.
ALTURA IN SUPPORT OF
DEFENDANT COUNTY OF LOS
ANGELES' APPLICATION FOR
LEAVE TO FILE UNDER SEAL

22 **DECLARATION OF JACK F. ALTURA**

23 I, Jack F. Altura, declare as follows:

- 24 1. I am an attorney licensed to practice law in the State of California and before
25 this Court. I am an attorney at the law firm of Ivie, McNeill & Wyatt,
26 counsel of record for Defendant County of Los Angeles.
- 27 2. I make the following declaration based upon my personal knowledge and if
28 asked to testify I could and would testify to the following facts.

- 1 3. This Court ordered Deputy Benzor's entire deposition transcript sealed.
2 ECF #114.
- 3 4. Deputy Benzor is not a defendant in this case, and his privacy interests are
4 significant compared to the public's right to know private information about
5 him before trial. Federal courts recognize a constitutionally-based right of
6 privacy and the official information privilege. *Soto v. City of Concord*, 162
7 F.R.D. 603, 616, 620–21 (N.D. Cal. 1995). The official information
8 privilege protects certain information about public officials. *See id.* COLA
9 contends that the official information privilege protects private information
10 about Deputy Benzor from being made public before trial.
- 11 5. COLA intends to use portions of Deputy Benzor's deposition transcript in its
12 Motion for Summary Judgment.
- 13 6. Therefore, COLA respectfully requests leave to file Deputy Benzor's
14 deposition under seal so that COLA may comply with the Court's sealing
15 order.
- 16 7. Neither Plaintiff nor co-Defendants will be opposing this Application.

17
18 I execute this declaration under penalty of perjury under the laws of the State
19 of California that the foregoing is true and correct. Executed on June 29, 2020 at
20 Los Angeles, California

21
22 /s/ Jack F. Altura
23 Jack F. Altura
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